

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

FILED

2009 JUN -9 A 2:38

RAMONA THOMPSON AND CEVEL
FLETCHER,

Plaintiffs,

vs.

NORTH POINTE INSURANCE COMPANY,

Defendant.

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NO.:

1:09CW156
Collier/Carter

U.S. DISTRICT COURT
EASTERN DIST. TENN.

BY _____ DEPT. CLERK

PETITION AND NOTICE OF REMOVAL

1. The above-named plaintiffs, on the 6th day of May, 2009, filed their Complaint in the Circuit Court of Rhea County, Tennessee, against the above-named defendant bearing Docket Number 26766.

2. A copy of the Summons and Complaint, which were served upon the defendant through the Commissioner of Insurance on May 11, 2009, is attached hereto as Exhibit "A" and filed herewith. These documents are all of the process, pleadings and orders which have been served upon the defendant.

3. Plaintiffs were at the time of the commencement of said action and still are citizens and residents of the State of Tennessee and of no other state.

4. Defendant was at the time of the commencement of said action and still is a corporation organized under the laws of the State of Michigan and no other state.

(00658667.DOC)


5. The amount in controversy in said action exceeds the sum or value of Seventy-Five Thousand (\$75,000.00) Dollars, exclusive of interest and costs, and is wholly between the citizens of different states and is within the jurisdiction of this Court, pursuant to the provisions of Title 28 United States Code, section 1332 and is removable to this Court pursuant to the provisions of Title 28 United States Code, section 1441.

6. Counsel for defendant expressly reserves defendant's right to all defenses and objections in this action after removal.

7. This Notice is filed with this Court within thirty (30) days after service of the Summons and Complaint.

WHEREFORE, defendant prays this Court accept this Notice and to proceed with the action heretofore referred to in accordance with law.

**LEITNER, WILLIAMS, DOOLEY &
NAPOLITAN, PLLC**

BY: 
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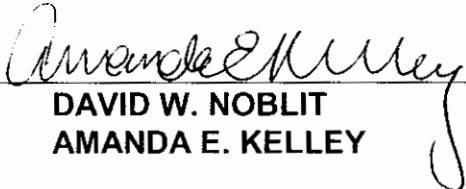
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing documents upon:

Howard L. Upchurch, Esquire
P.O. Box 381
Pikeville, TN 37367

via hand delivery, via facsimile, or by mailing him a copy of the same through the United States mail in a properly addressed envelope with sufficient postage affixed to reach its destination.

This 9th day of June, 2009.



DAVID W. NOBLIT
AMANDA E. KELLEY